**PART--III-A-- Ordinances promulgated by the Governor of
Tripura under the Constitution of India.**
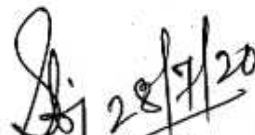
GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT : AGARTALA

No.F.8(22)-Law/Leg-I/2020   Dated, Agartala, the 28th July, 2020.

NOTIFICATION

The following Ordinance is promulgated by the Hon'ble Governor of Tripura on the 24th of July, 2020 and is hereby published for General Information.

(Sopan Chaudhuri)
Deputy Secretary, Law
Government of Tripura

The Tripura Ordinance No. 8 of 2020

The Court fees (Tripura Amendment) Ordinance, 2020

(Promulgated by the Governor of Tripura in the Seventy first year of the Republic of India)

An

Ordinance

to amend the Court Fees Act, 1870 (Central Act No. 7 of 1870), in its application to the State of Tripura.

WHEREAS, the Court Fees Act, 1870 (here-in-after referred to as the Principal Act), as was in force in the State of Assam, was adapted in the State of Tripura, with effect from 21st January, 1972, by North-Eastern Areas (Reorganisation) (Tripura) Adaptation of Laws Order, 1973 Vide No.F.3(4)-Law/Leg/72 Dated 27th October, 1973;

AND WHEREAS, pursuant to the suggestion of the Supreme Court e-Committee, the High Court of Tripura has requested for amendment of the Principal Act, with a view to facilitate online payment of Court fees, penalties, fines etc.;

AND WHEREAS, it is felt expedient to amend the Court-fees Act, 1870, in its application to the State of Tripura, for providing convenience of paying court fees without hassles involved in obtaining physical judicial stamps and other matters connected therein and incidental thereto;

AND WHEREAS, the house of the Tripura Legislative Assembly is not in session and the Governor of Tripura is satisfied that the circumstances exist which render it necessary for him to take immediate action;

NOW THEREFORE, in exercise of the powers conferred under clause (1) of Article 213 of the Constitution of India, the Governor of Tripura, is hereby pleased to promulgate the following Ordinance, to amend the Principal Act, in its application to the state of Tripura, in the manner hereinafter appearing:-

1.   **Short title and commencement:**

(1) This may be called the "The Court Fees (Tripura Amendment) Ordinance, 2020";

(2) It shall come into force on the date of its publication in the Tripura Gazette.

2.   **Amendment of Section 13:**

In section 13 of the principal Act, the expression "the Appellate Court shall grant to the appellant a certificate, authorizing him to receive back from the Collector the full amount of fee paid on the memorandum of appeal", shall be substituted with the expression **"the Appellate Court shall grant to the appellant a certificate, authorizing him to receive back from the Collector or by way of electronic transfer in such manner as may be prescribed, the full amount of fee paid on the memorandum of appeal".**

3. **Amendment of Section 14:**

In Section 14 of the principal Act, the expression "grant him a certificate authorizing him to receive back from the Collector so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day", shall be substituted with the expression **"grant him a certificate authorizing him to receive back from the Collector or by way of electronic transfer in such manner as may be prescribed, so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day."**

4. **Amendment of Section 15:**

In section 15 of the principal Act, the expression "the applicant shall be entitled to a certificate from the court authorizing him to receive back from the Collector so much of the fee paid on the application as exceeds the fee payable on any other application to such Court under the second schedule to this Act", shall be substituted with the expression **"the applicant shall be entitled to a certificate from the court authorizing him to receive back from the Collector or by way of electronic transfer in such manner as may be prescribed, so much of the fee paid on the application as exceeds the fee payable on any other application to such court under the second schedule to this Act."**

5. **Amendment of Section 16:**

In Section 16 of the principal Act, the expression "the plaintiff shall be entitled to a certificate from the Court authorizing him to receive back from the Collector, the full amount of the fee paid in respect of such plaint", shall be substituted with the expression **"the plaintiff shall be entitled to a certificate from the Court authorizing him to receive back from the Collector or by way electronic transfer in such manner as may be prescribed, the full amount of the fee paid in respect of such plaint."**

6. **Amendment of Section 25:**

In Section 25 of the principal Act, the expression "stamps", shall be substituted with the expression **"stamps or electronic transfer of payment to State Government in such manner as may be prescribed."**

7.   **Amendment of Section 27:**

Clause (a) of Section 27 of the principal Act, shall be substituted with the following-

"**(a) the manner of supply of stamps or electronic transfer of payment of court-fee and refund thereof;**"

8.   **Amendment of Section 30:**

In Section 30 of the principal Act, after the existing text, the following proviso shall be added-

"**Provided that, where court-fee is paid by electronic transfer of payment, the officer competent to cancel stamp shall verify the genuineness of the payment and after satisfying himself that the court-fee is paid, shall lock the entry in the computer and make an endorsement under his signature on the document that the court-fee is paid and the entry is locked**".

[RAMESH BAIS]
Governor, Tripura

(Ramesh Bais)
Governor of Tripura.